

ARGUMENTS/REMARKS

Applicants would like to thank the Examiner for the careful consideration given the present application, and for the personal interview conducted on July 28, 2004, with the Examiner and the Examiner's supervisor. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe and claim the subject matter which applicants regard as the invention.

Claims 20-51 remain in this application. Claims 33-46 and 48-53 were indicated as being allowed. Claims 23-27 were indicated as being allowable if put into independent format. Claims 28 and 47 have been amended for formalities.

The Examiner objected to claims 28 and 47 for formal reasons. They have been amended, making the rejection moot.

Claims 54 and 55 were rejected under 35 U.S.C. §101 for being directed to non-statutory subject matter. At the personal interview, the Examiner indicated that this rejection would be withdrawn.

Claims 20, 21, 22, 28-32 and 47 were rejected under 35 U.S.C. §102(b) as being anticipated by Cezanne *et al.* (U.S. 5,473,701). For the following reasons, the rejection is respectfully traversed.

At the personal interview, it was discussed that the equation of Cezanne:

$$\beta = \frac{\frac{1}{N} \sum_{n=0}^{n=N-1} c_B(n) c_F(n)}{\frac{1}{N} \sum_{n=0}^{n=N-1} c_B^2(n)}$$

which can be expanded to be:

$$\beta = \frac{\left[\frac{1}{N} \right] \cdot [c_B(0) \cdot c_F(0) + c_B(1) \cdot c_F(1) + c_B(2) \cdot c_F(2) + \dots + c_B(N-1) \cdot c_F(N-1)]}{\frac{1}{N} \cdot [c_B^2(0) + c_B^2(1) + c_B^2(2) + \dots + c_B^2(N-1)]}$$

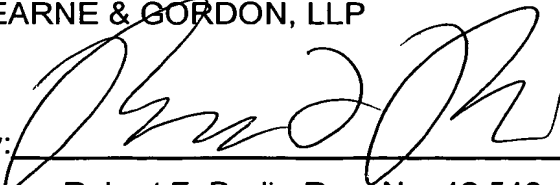
is properly described as a "ratio of a sum of the products of two signals divided by a sum of the signals squared over an interval [0 , N]", which is generally the description given in col. 7, lines 14-27. Claim 8 of Cezanne further describes a ratio of the "product of output signals of the foreground and background cardioid sensors" to "the square of the output signal of the background cardioid sensor".

It was agreed by all present at the interview that this is not the same as the language recited in the rejected independent claim 1, i.e., "forming a ratio of said output signals of said first and second microphone sub-arrangements, thereby generating a ratio result". Claim 47 recites similar language at lines 15-17, and thus is patentable over the reference for the same reasons. The remaining rejected claims depend, directly or indirectly, upon one of the above claims, and thus are patentable over the reference for at least the same reasons.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32558.

Respectfully submitted,
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